



ORDINANCE 585

AN ORDINANCE AMENDING CHAPTER 148 OF THE CODE OF THE TOWN OF ELSMERE BY DESIGNATING THE TOWN MANAGER AS THE ISSUING AUTHORITY FOR PERMITS REQUIRED BY THIS CHAPTER OF THE CODE.

Sponsored by: Mayor Steve Burg
1st District Councilman John Jaremchuk

First and Second Reading: September 11, 2014 Council Meeting

Results: _____

Third and Final Reading: October 09, 2014 Council Meeting

Results: _____

ORDINANCE 585

AN ORDINANCE AMENDING CHAPTER 148 OF THE CODE OF THE TOWN OF ELSMERE BY DESIGNATING THE TOWN MANAGER AS THE ISSUING AUTHORITY FOR PERMITS REQUIRED BY THIS CHAPTER OF THE CODE.

WHEREAS, the Mayor and Council wish to make changes to who is authorized to issue permits which are required by Chapter 148 of the Code of The Town of Elsmere.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF ELSMERE, THE FOLLOWING:

That Chapter 148 of the Code of the Town of Elsmere is amended as follows;

1. In Section 148-1 Permit required;

Delete the words “Council of the Town of Elsmere” and replace them with the words “Town Manager”.

2. In Section 148-5 Application for permit; review by Chief of Police.

Delete the word “Council” and replace it with the words “Town Manager”.

3. In Section 148-6 Permit procedure and requirements.

a. In 148-6 (A) Delete the words “Council of the Town of Elsmere” and replace them with the words “Town Manager”.

b. In 148-6 (B) Delete the word “Council” and replace it with the words “Town Manager”.

c. In 148-6 (C) (11) Delete the words “Town Council” and replace them with the words “Town Manager”.

4. In Section 148-8 Standards for permit issuance.

a. In 148-8, Delete the word “Council” and replace it with the words “Town Manager”.

5. In Section 148-9 Notice of Council decision.

Delete this Section in its entirety and insert in its place a new Section 148-9 to read as follows.

148-9 Notice to Council.

- A. Upon receiving an application, the Town Manager shall notify the Mayor and the Council Person(s) representing the district(s) where the event will be held based on the application and request their comments or concerns if any.
- B. Once a decision has been made to issue or deny the application the entire Mayor and Council shall be notified of that decision.

6. In Section 148-10 Alternative permit.

- A. Delete the words “Council of the Town of Elsmere” and replace them with the words “Town Manager”.
- B. Delete this sub-section in its entirety.

7. In Section 148-11 Appeal Procedure.

Delete this Section in its entirety and insert in its place a new Section 148-11 to read as follows.

148-11 Appeal Procedure.

Any person aggrieved by the denial of a permit required by this chapter may appeal to the Mayor and Council. The appeal shall be in writing and filed with the Town Manager. Once an appeal has been filed, the Mayor and Council shall meet within five days and decide if a permit shall be issued or denied and what if any conditions shall be placed on the issuance of a permit. The decision of the Mayor and Council shall be final.

September 11, 2014
First and Second Reading

October 09, 2014
Third and Final Reading

Steven E. Burg, Mayor

Joann I. Personti, Secretary

Approved as to form:

Town Solicitor

SYNOPSIS
ORDINANCE 585

This Ordinance amends Chapter 148 of the Code of the Town of Elsmere by allowing the Town Manager the authority to issue permits for Parades and Special Events.

Fiscal Impact: None